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UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

|  |   |
|--|---|
| -----X                                 |   |
| SHANELL MARTINEZ,                      | : |
|  | : |
| Plaintiff,                             | : |
|  | : |
| -against-                              | : |
|  | : |
| 189 CHRYSTIE STREET PARTNERS, LP,      | : |
| d/b/a THE BOX, VARIETY WORLDWIDE, LLC, | : |
| SIMON HAMMERSTEIN, JAVIER VIVAS,       | : |
| GIZA SELIMI, and NENAD KARAC,          | : |
|  | : |
| Defendants.                            | : |
| -----X                                 |   |

22-CV-3111 (VEC)

ORDER

VALERIE CAPRONI, United States District Judge:

WHEREAS on August 23, 2022, Defendants moved to dismiss the complaint, Dkt. 28;

WHEREAS on September 20, 2022, the Court granted Plaintiff's request to extend her time to respond to the motion to dismiss to October 4, 2022, noting that "[n]o further extensions will be granted absent a showing of very good cause," Dkt. 36;

WHEREAS on September 23, 2022, the Court adjourned the initial pretrial conference and all discovery deadlines *sine die* pending resolution of the motion to dismiss, Dkt. 38;

WHEREAS on October 5, 2022, Plaintiff filed an amended complaint in lieu of opposing the motion to dismiss, Dkt. 39;

WHEREAS pursuant to Rule 4(E)(i) of the Undersigned's Individual Practices in Civil Cases, if a Plaintiff elects to amend its pleading in response to a motion to dismiss, the Court will deny the motion to dismiss as moot;

WHEREAS pursuant to Rule 4(E)(i) of the Undersigned's Individual Practices in Civil Cases, if a plaintiff elects to amend its pleading, the plaintiff must file a redlined version of the amended pleading; and

WHEREAS no redlined version of the amended pleading has been filed in this case.


IT IS HEREBY ORDERED that Defendants' motion to dismiss is DENIED as moot. The Clerk of Court is respectfully directed to close the open motion at docket entry 28.

IT IS FURTHER ORDERED that Plaintiff must file a redlined version of her amended complaint by no later than **October 12, 2022**. Plaintiff is admonished to adhere to the Undersigned's individual rules of practice and all Court-ordered deadlines more carefully in the future.

IT IS FURTHER ORDERED that the initial pretrial conference in this matter is rescheduled for **Friday, November 4, 2022, at 10:00 A.M.** in Courtroom 443 of the Thurgood Marshall Courthouse, 40 Foley Square, New York, New York, 10007. The parties' initial pretrial conference submissions, as outlined in the Court's August 26, 2022, Order, *see* Dkt. 33, are due no later than **October 27, 2022**.

**SO ORDERED.**

**Date: October 5, 2022**  
**New York, New York**

  
**VALERIE CAPRONI**  
**United States District Judge**